

## SCHEDULE

### CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

#### **Amendment of the National Health Service (Personal Medical Services Agreements) Regulations 2004**

4.—(1) Schedule 5 to the National Health Service (Personal Medical Services Agreements) Regulations 2004<sup>(1)</sup> (other contractual terms) is amended as follows.

(2) For paragraph 86 (complaints procedure) substitute—

#### **““Complaints procedure**

**86.**—(1) The contractor shall establish and operate a complaints procedure to deal with any complaints in relation to any matter reasonably connected with the provision of services under the agreement.

(2) In respect of complaints made on or after 1st April 2009, the complaints procedure required by sub-paragraph (1) shall comply with the requirements of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009<sup>(2)</sup>.

(3) In respect of complaints received by the contractor prior to 1<sup>st</sup> April 2009 which have not been resolved by that date, the contractor shall continue to deal with such complaints in accordance with the complaints procedure that it was required to establish and operate prior to 1st April 2009.”.

(3) In paragraph 91 (co-operation with investigations)—

(a) in sub-paragraph (1)(b), for “the Commission for Healthcare Audit and Inspection” substitute “the Health Service Commissioner”;

(b) in sub-paragraph (3), for “In sub-paragraph (2)” substitute “In this paragraph”;

(c) at the end of sub-paragraph (3), add—

““Health Service Commissioner” means the person appointed Health Service Commissioner for England in accordance with section 1 of, and Schedule 1 to, the Health Service Commissioners Act 1993<sup>(3)</sup>.”.

(4) Paragraphs 87 to 90 and 92 are omitted.

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(1) S.I. 2004/627, amended by S.I. 2004/2694 and 2007/3491.

(2) S.I. 2009/309.

(3) 1993 c. 46.